

EXHIBIT A

Re: Linda Casira Subpoena / Deposition

Robert Lower <rlower@fsfllp.com>

Tue 4/19/2022 9:56 AM

To: Adam Sherman <adam@catafagofini.com>

Cc: Daniel Schneider <dschneider@fsfllp.com>; Tom M. Fini <tom@catafagofini.com>

And I appreciate you taking my call, which you certainly didn't need to do while on holiday. Nonetheless, Tom indicated he would complete his review of this simple and aging request yesterday, and I have no choice but to put this before the Court today if Plaintiff can't simply check a box on her HIPPA form and respond re 4/29 availability extremely soon, as we have a rapidly-approaching fact discovery deadline.

On Tue, Apr 19, 2022 at 9:46 AM Adam Sherman <adam@catafagofini.com> wrote:

Dear Robert:

As I informed you during our call on Friday, April 15, 2022, I was out of the office due to the Passover holiday until today (Tuesday, April 19, 2022).

Tom and I will respond to your below email shortly.

--

ADAM B. SHERMAN, ESQ.

Counsel - Catafago Fini LLP

One Grand Central Place

47th Floor

New York, NY 10165

Tel: (212) 239-9669

Fax: (212) 239-9688

[Cell: 917-526-1213](tel:917-526-1213)

This electronic communication (including all attachments, if any) is CONFIDENTIAL and protected by the Electronic Communication Privacy Act, 18 U.S.C. §§ [2510-2521](#). If you are not the intended recipient of this message, you are prohibited from reading, disclosing, reproducing, distributing, disseminating or otherwise using this transmission. Delivery of this message to any person other than the intended recipient is not intended to waive any right or privilege. Without limitation thereof, this electronic mail transmission may also be to, or on behalf of, an attorney at law. It may contain information that is subject to attorney-client confidentiality, is privileged attorney work product, or is otherwise confidential, privileged, proprietary, or otherwise legally exempt from disclosure. There is no intent on the part of the sender, or any other person, to waive any privilege, including the attorney-client privilege, that may attach to this communication. If you have received this message in error, please delete this message and any attachments from your system without reading the content, and notify the sender immediately of this inadvertent transmission. Thank you for your cooperation.

From: Robert Lower <rlower@fsfillp.com>
Sent: Tuesday, April 19, 2022 1:40 AM
To: Tom M. Fini <tom@catafagofini.com>
Cc: Adam Sherman <adam@catafagofini.com>; Daniel Schneider <dschneider@fsfillp.com>
Subject: Re: Linda Casira Subpoena / Deposition

Raising this with the Court tomorrow at my earliest convenience unless it's promptly resolved early tomorrow morning.

Best - Robert

On Mon, Apr 18, 2022 at 16:13 Robert Lower <rlower@fsfillp.com> wrote:

Ms. Casira's dep is currently noticed for Wednesday and we're coming up on the end of fact discovery, so if you could respond to the inquiries in our April 15, 2022 3:27 PM email we would appreciate it.

Best - Robert

On Fri, Apr 15, 2022 at 8:01 PM Tom M. Fini <tom@catafagofini.com> wrote:

I am away from the office and will study this on Monday. Thanks.

Tom M. Fini, Esq.
CATAFAGO FINI LLP
One Grand Central Place
47th Floor
New York, NY 10165
212.239-9669 tel
917-561-4143 cell
212.239-9688 fax
www.catafagofini.com

From: Robert Lower <rlower@fsfillp.com>
Sent: Friday, April 15, 2022 3:27:18 PM
To: Adam Sherman <adam@catafagofini.com>; Tom M. Fini <tom@catafagofini.com>; Daniel Schneider <dschneider@fsfillp.com>
Subject: Linda Casira Subpoena / Deposition

Hey Adam/Tom,

Linda Casira apparently got an attorney (Robert Martin), who called today to say her

noticed date (4/20) would be inconvenient for him. Neither he nor I had a conflict on 4/29 though, so I thought I'd bounce that date off of you. Additionally, he said they may be interested in an affidavit in lieu of the dep. I said Df's counsel could be open to that if it reflected a final confirmation/clarification/denial of the accuracy of specific statements in her report, but did not and would not give him a firm answer unless/until we could review a proposed affidavit. If you have any strong opinions on any of this, please let us know as soon as you can so we can close this out in the most efficient manner possible during fact discovery.

Robert Martin's number is 631-834-2958. I forgot to get his email -- feel free to add him to this distribution if you reach out to him and get his email.

Robert B. Lower

Farber Schneider Ferrari LLP

261 Madison Avenue, 26th Floor

New York, New York 10016

(917) 881-5834 (o) | (212) 922-1939 (f)

rlower@fsfllp.com | www.fsfllp.com

--

Robert B. Lower

Farber Schneider Ferrari LLP

261 Madison Avenue, 26th Floor

New York, New York 10016

(917) 881-5834 (o) | (212) 922-1939 (f)

rlower@fsfllp.com | www.fsfllp.com

--

Robert B. Lower

Farber Schneider Ferrari LLP

261 Madison Avenue, 26th Floor

New York, New York 10016

(917) 881-5834 (o) | (212) 922-1939 (f)

rlower@fsfllp.com | www.fsfllp.com

--

Robert B. Lower

Farber Schneider Ferrari LLP

261 Madison Avenue, 26th Floor

New York, New York 10016

(917) 881-5834 (o) | (212) 922-1939 (f)

rlower@fsfllp.com | www.fsfllp.com